

FILED

United States Court of Appeals  
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

July 11, 2016

Elisabeth A. Shumaker  
Clerk of Court

JOSHUA LAMONT SUTTON,

Plaintiff - Appellant,

v.

MATTHEW VAN LEEUWEN; BRIAN  
GOWIN,

Defendants - Appellees,

and

ANTHONY RODERICK; FRAN  
LAPAGE,

Defendants.

No. 16-1211  
(D.C. No. 1:14-CV-02379-RM-MJW)  
(D. Colo.)

ORDER

Before **BRISCOE**, **MATHESON**, and **BACHARACH**, Circuit Judges.

This court notified the plaintiff in an order entered on May 27, 2016, that, in order to proceed with this appeal, he needed to obtain a Fed. R. Civ. P. 54(b) certification from the district court because all of the claims against all of the parties had not been fully adjudicated in the district court. The claims against Defendants Anthony Roderick and Fran LaPage are still pending. The plaintiff was given 30 days in which to obtain and file the certification. *See Lewis v. B.F. Goodrich Co.*, 850 F.2d 641, 645-46 (10th Cir. 1988). He has failed to do so, and has not requested such a certification from the district court.

Accordingly, because all of the claims against all of the parties have not been resolved in the district court, this court lacks jurisdiction. *See* Fed. R. Civ. P. 54(b).

**APPEAL DISMISSED.** This order does not preclude the plaintiff from filing a timely appeal after entry of final judgment.

Entered for the Court  
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script, appearing to read "Ellen Rich Reiter".

by: Ellen Rich Reiter  
Jurisdictional Attorney